

CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING
MINUTES

January 15, 2004

P. Sartorius called the meeting to order at 4:02 p.m., and roll was taken.

MEMBERS PRESENT: J. Aslakson, B. Mazade, S. Warmington, P. Sartorius, T. Johnson,
B. Smith, T. Michalski, L. Spataro

MEMBERS ABSENT: T. Harryman, excused.

STAFF PRESENT: D. Steenhagen, H. Griffith, B. Lazor

OTHERS PRESENT: R. Reasonover, 1370 Eastwood; J. Mulenowski, Architect; K.
Oldes, Park Terrace; R. Wabel, 1293 Creekview; G. Post,
Muskegon Construction; B. Jacobsen, HDC.

APPROVAL OF MINUTES

A motion to approve the minutes of the regular meeting of December 11, 2003 was made by T. Johnson, supported by L. Spataro and unanimously approved.

PUBLIC HEARINGS

Hearing; Case 2004-1: Request to rezone the property located at 407 Marquette Ave. from R-1, Single-Family Residential to B-1, Limited Business, by Ray Reasonover. D. Steenhagen presented the staff report. This request includes the property at the southeast corner of Marquette Ave. and Wood St. The property currently contains a small 'corner store' type of mini-mart and additional vacant space. There are two special use permits in place on this property – one for the mini-mart and a second for a youth recreational center, which has never materialized. The subject property is currently zoned R-1, Single-Family Residential. The Zoning Ordinance was amended several years ago to allow existing previously nonconforming commercial structures in residential districts to be used for various low-scale commercial uses. This language is how the special use permits on the subject property were approved. The intent of this language is to allow some practical use for these buildings which would not likely be either renovated or torn down for residential uses and would otherwise sit vacant. The language also allows small scale, low intensity uses, similar to those allowed in the B-1, Limited Business zoning district, in or near neighborhoods. This helps to promote the idea of 'neighborhood businesses'. When the language was included that allowed these commercial buildings to be used commercially in residential zones, several conditions were also included. One of these conditions is that certain types of uses are prohibited under this language, "Prohibited uses: Activities specifically prohibited include repair or service of motor vehicles and other large equipment; uses serving or selling alcohol, manufacturing processes which would normally require industrial zoning; any activity which may become a nuisance due to noise, unsightliness

or odor; and any activity which may adversely affect surrounding property.” When the Special Use Permit was approved for the mini-mart in August of 2001, one of the conditions of the permit reinforced the prohibition against selling alcohol on the site. At the time, the property owner stated that he had no intention of selling alcohol in the store. However, since that time the property has changed hands and the store has a new owner/operator. The current owner would like to sell alcohol in the store. As the sale of alcohol is prohibited on this site both by the ordinance language allowing the property to be re-used commercially and by the approved Special Use Permit for this property, the applicant is asking that the property be rezoned to a commercial designation. The prohibition against alcohol sales does not appear in the B-1 district language – it was added specifically to the special use permit language for commercial buildings in residential districts. If the property were to be rezoned to B-1 and the Special Use Permit were dissolved (since the use of the property as a store would be allowed in the B-1 district by right, the Special Use Permit would no longer be necessary), then the applicant would be free to seek a liquor license in order to sell alcohol on the property. The City owns several vacant parcels of property directly adjacent to the subject property. This corner is a somewhat busy one since Marquette Ave. and Wood St. each carry a heavier load of traffic than a minor residential street. To the south of the subject property is an existing church. Although this general area is entirely zoned for single-family residential, this particular block does not contain any existing homes. However, given the recent level of increased interest in the Jackson Hill neighborhood for single-family building projects, there is a good likelihood that the City-owned parcels may be in demand in the near future for single-family residential purposes. The closest area to the subject property which is already currently zoned for commercial use is at the corner of Marquette Ave. and Getty St., where there is some B-1 zoning. There is not much commercial zoning existing within the Jackson Hill neighborhood. The subject property is located at probably the busiest corner in this neighborhood. If any commercial zoning were to be located in this neighborhood, the subject property would probably be the most practical spot for it. However, the zoning ordinance does permit small scale commercial use on this property without it needing to be rezoned, and the special use permit language is even more restrictive than the B-1 district, which helps to further protect the surrounding neighborhood. The Future Land Use Map shows the subject property as “Single & Two-Family”. The Master Land Use Plan states: It is the goal of the Master Plan to maintain the residential integrity of the sub-area, while setting aside small segments suitable for commercial and industrial uses in a highly compatible, non-threatening, fashion. Single-family homes are found throughout the sub-area including many new homes located in the Marquette neighborhood. They range from well to poorly maintained dwellings. Sub-Area 12 has the highest concentration of homes experiencing significant site deterioration. A variety of schools and churches are interspersed throughout and compliment the residential flavor of the area. The Master Plan recommends for this sub-area: Clustered commercial development should be confined to the US-31 and Getty Street intersections, consistent with similar development identified in Sub-Areas 3 and 4. B-1 is intended as a ‘neighborhood’ commercial zoning designation, and only allows small scale, low intensity commercial uses. The square footage of most permitted uses in the B-1 district is limited to 2,500 square feet. If the Planning and City Commissions were inclined to approve a rezoning for this property to a commercial designation, staff would feel most comfortable with the B-1 district there. However, since the existing ordinance language and special use permit do allow small scale commercial uses (including the current use) at this site without a rezoning, staff would recommend denial of this request.

D. Steenhagen stated that in 1997 a use variance was issued, but not used. One of the conditions was that alcohol wouldn't be sold. In 1999 there was a request to rezone the property to B-2, which was denied.

The commission members were provided with a copy of a signed petition in favor of this request by the applicant. T. Michalski asked if there were any laws governing a liquor license within the proximity of a church. D. Steenhagen stated that State law doesn't allow it within 500 ft. of a church or school. B. Smith asked about the youth center. D. Steenhagen stated that the applicant for the youth center was still interested in pursuing this, it hadn't happened yet. T. Johnson asked if the grocery store was currently operating at the location. D. Steenhagen stated that it was. R. Reasonover stated that he is the owner of the property. He also owns the grocery store. He explained what his intentions were for the store. He would like to help people in the neighborhood by having grocery delivery for senior citizens. He would like to be able to offer the things that the people in the neighborhood could purchase, as many of them don't have a vehicle. He has had many requests from his patrons who would like to be able to purchase beer and wine. J. Aslakson asked if the applicant was aware of the condition that no alcohol could be sold on the property when he purchased it. R. Reasonover stated that he was. B. Smith asked if he had spoken to anyone from the Jackson Hill Church. R. Reasonover stated that he hadn't, but his son had spoken to some of the members. They weren't as concerned about the sale of beer and wine as they were about the possibility of the sale of lotto and loitering. P. Sartorius asked if staff had heard from the neighborhood association. D. Steenhagen stated that she hadn't. R. Reasonover stated that he had spoken to them. P. Sartorius asked if there were any other stores in this area. R. Reasonover stated that there aren't. T. Johnson asked if the neighborhood association had any concerns. R. Reasonover stated that he had spoken to the president of the neighborhood association. They discussed some of the concerns and the president had told him that they didn't have any problem with this request as long as the concerns were addressed. Some of the concerns were patrons loitering around the building and trash not being disposed of properly. He stated that he would be adding more lighting to the exterior and if he needed to; he would hire a security guard. P. Sartorius read the petition that the applicant had provided. He stated that there were 6 1/3 pages of signatures.

A motion to close the public hearing was made by J. Aslakson, supported by B. Smith and unanimously approved.

B. Mazade and S. Warmington arrived at 4:19 p.m.

J. Aslakson stated that it would be more profitable to have beer and wine on the premises. He would have a problem with approving this request. The first problem is that there are vacant lots near this site and there has been a lot of new construction in the area. He felt that it may be more difficult for the new construction to continue for the vacant lots around the market if it were to sell beer and wine. Another problem he has is that SUP's stay with the property. Should Mr. Reasonover sell the property later on, it doesn't mean that the new owner would continue with the service that Mr. Reasonover would like to provide. D. Steenhagen added that if the property were to be rezoned, any special use permits as well as their conditions, would be moot. L. Spataro stated that he is also uncomfortable with approving this request. He named off other stores that were close to this neighborhood that already sell beer and wine.

A motion that the request the property at 407 Marquette Ave. as described in the public notice, from R-1, Single-Family Residential to B-1, Limited Business be recommended for denial to the City Commission pursuant to the City of Muskegon Zoning Ordinance, and the determination of lack of compliance with the intent of the City Master Land Use Plan and zoning district intent, was made by J. Aslakson, supported by L. Spataro and approved with B. Smith and T. Michalski voting nay and B. Mazade and S. Warmington abstaining.

Hearing; Case 2004-2: Request for final Planned Unit Development approval for Phase IV (condominiums) of the Park Terrace development at Hackley Ave. and Rosewood Ln., by Ruddiman Associates. D. Steenhagen presented the staff report. The subject property is part of the Park Terrace Development (former Hackley Glen site, on Hackley Ave., west of Barclay St.), which has an approved preliminary PUD for the entire former Hackley Glen property. Phases I and II of the project have already received final PUD and site plan approval and have been constructed. Phase III is not being developed at this time. This request is for final PUD and site plan approval for Phase IV. Phase IV is located on the western edge of the development, along the west side of Rosewood Ln. This phase consists of 12 condominium units, to be constructed as duplexes. Each unit will have an attached garage and driveway, providing the minimum of 2 parking spaces required. The area encompassed by Phase IV also contains a stormwater detention basin. Staff has reviewed the submitted final site plan and has the following comments: a) The site plan shows six buildings containing a total of 12 condominium units. Each unit fronts on Rosewood Ln. with a private driveway. The site plan is very thorough and includes a great amount of detail about the site. Staff is not aware of any information which is missing from the plans. b) The units are intended to have basements with daylight windows on the rear. In order to facilitate this, the site will be graded to direct stormwater away from the building foundations and footing drains are also proposed for all buildings. The stormwater is proposed to be directed to the north and drained into catch basins for the City's storm sewer system. c) There are a great deal of existing trees on this site – all of which have been noted on the first sheet of the site plan. The landscape plan shows that most of these trees are proposed to be removed but that many new trees will be planted as part of the new development. Staff has indicated to the applicant that the Zoning Ordinance requires that as many existing trees as practical be saved. d) Most of the trees near Rosewood St. appear to be preserved on the landscape plan. Of the remaining trees on the site, most appear to be removed for the development. One oak to the rear of the property, and two evergreens near Hackley Ave. are shown as to be retained. The developer has stated that in order to grade the rear yard area for the daylight windows in the basement, almost all of the existing trees need to be removed in the rear yards. e) Staff feels that there is a possibility that additional existing trees could be saved if the buildings were to be shifted somewhat. However, the landscape plan does show that additional new trees are being proposed to replace the trees (outside of the building footprints) that are proposed for removal, on a 2 for 1 ratio (as required by the ordinance). f) The landscape plan meets ordinance requirements and also provides a landscape buffer between this development and the existing Glenside Estates townhouses (which are being converted to condominiums). Although the ordinance does not require any screening or buffer between two multi-family developments, there is no prohibition against it. g) The site plan shows a 40-foot setback from Hackley Ave. to the nearest building. This more than meets the front setback requirement of 20 feet. The property is on a corner, and all buildings are shown to have a minimum 10-foot setback from the property line on Rosewood Ln. This is below the minimum requirement of 15 feet. The property line is somewhat far back from the edge of the

curb however, which gives the buildings a 26.5-foot setback from the edge of the road. As this development is a PUD, the Planning Commission does have some leeway and flexibility to relax setback requirements if desired. The proposed side and rear setbacks for all buildings meet ordinance requirements. The buildings are shown as 20 feet apart, which provides a greater distance than what would be required if these were duplexes on separate lots. h) The Engineering Dept. has reviewed the site plan and has the following comments: i) Need to see the grade for the proposed storm sewer system. ii) An easement agreement for the existing storm sewer on the site needs to be prepared, signed and recorded. The storm sewer easement descriptions that are shown on the drawings need an easement drawing showing the bearing on a separate sheet. i) The Fire Marshal has reviewed the site plan and has the following comment, "All hydrants for this phase will be new and meet the spacing requirements of the International Fire Code and MFP Fire Marshal's Office (1 hydrant per 300 feet)." j) The Department of Public Works has reviewed the site plan and has no outstanding issues with it. k) The Police Department has reviewed the site plan and has no outstanding issues with it. The site plan shows one free-standing sign at the corner of Rosewood Ln. and Hackley Ave. The ordinance states, "*Entranceway monument signs are permitted for residential developments of up to twelve (12) square feet. One sign for each major public road frontage may be provided. Signs shall not exceed eight feet in height.*" The proposed sign will require a permit and will need to meet these requirements. The site plan shows that the sign has been placed out of the 25-foot triangle of vision at the corner, so no clear vision issues should occur. Staff has not received any phone calls or letters regarding this case. Staff recommends approval of the request with the conditions.

J. Mullenowski stated that the funding for this project was approved over the summer. B. Mazade asked about the northwest portion of the property where Rosewood and Woodcreek meet, where a detention basin is shown on the plans. He felt that this would be a good location for development. He had ridden out to the property and he stated that he didn't see the current detention basin there. J. Mullenowski stated that it is there, it isn't seen well from the street level. B. Mazade asked if there were any problems with the detention basin being located there for the adjoining property. J. Mullenowski stated that he wasn't aware of any. J. Aslakson asked if a portion of the rear property was going to be graded. J. Mullenowski directed the commission members to look at page 4 of the submitted site plans. A portion of the rear of the property would be graded to create a depressed area. They are looking to enlarge the detention basin in order to ensure the capacity. T. Johnson asked about the connection to the City water system for the condominium project. J. Mullenowski explained where the water and sewer lines were. He stated that there are lines running along Hackley, but they would be connecting to the lines that are located on Rosewood. L. Spataro stated that he is pleased with the design. He asked about the pedestrian sidewalks that were proposed for this area on the original site plan. J. Mullenowski stated that the sidewalks are located across the street. There aren't any proposed for this side of the street. K. Oldes stated that there wouldn't be enough room for them and there are trees in this area. They are still going to keep the rest of the original sidewalks. R. Wabel felt that Hackley Ave. wouldn't be able to handle the traffic. He went over the density of the neighborhood. He also wanted to know if the condominiums would be for sale to the public. J. Mullenowski stated that they condominiums would be for sale to the public and they aren't subsidized. K. Oldes stated that the apartments currently have a 30% occupancy. The owners are happy with this. They currently have 25 deposits for people waiting to move into the senior complex. They would be building a couple of condominium units at a time. They

had found that there was a need for condominiums in the \$130,000 to \$150,000 price range.

A motion to close the public hearing was made by S. Warmington, supported by B. Smith and unanimously approved.

S. Warmington stated that he was pleased with Phases 1 and 2. L. Spataro stated that he didn't see a problem with traffic flow for the area since the old apartments that were there had more density than what is currently there. He is in favor of the request.

A motion that the final PUD and associated site plan for Phase IV (condominiums) of the Park Terrace development at Rosewood Ln. and Hackley Ave. be approved pursuant to the determination of compliance with the intent of the City Zoning Ordinance and City Master Land Use Plan based on the following conditions: 1) One free-standing sign will be permitted for this phase of the development. The proposed sign will require a permit and will need to meet ordinance requirements for size and height. The sign must be placed in the location specified on the site plan. 2) An easement agreement for the existing storm sewer on the site needs to be prepared, signed and recorded. The storm sewer easement descriptions that are shown on the drawings need an easement drawing showing the bearing on a separate sheet. 3) The grade for the proposed storm sewer system must be provided to the City Engineer. 4) All hydrants for this phase will be new and meet the spacing requirements of the International Fire Code and MFP Fire Marshal's Office (1 hydrant per 300 feet)." 5) There will be an easement for the sanitary sewer which will be determined by staff, was made by, S. Warmington, supported by T. Johnson and unanimously approved.

Hearing; Case 2004-3: Request for preliminary and final Planned Unit Development approval for a mixed-use multi-family development for artists at 1204 Eighth St. (former Boilerworks property), by Muskegon Construction Company. D. Steenhagen presented the staff report. The subject property is located at the corner of Eighth St., Clay Ave. and Western Ave. The property takes up much of the block with the only other use being the Muskegon Eagles. A portion of this property was recently rezoned from I-2, General Industrial to H, Heritage. The entire block is now zoned H. The H district allows various residential and commercial uses. The applicant is applying for a Planned Unit Development (PUD) for this property. The proposed use is a multi-family development intended to be marketed toward artists. The apartments will all include studio space for artists and there will be some common gallery and display space as well. There are two smaller buildings on the site. Building "A" is proposed for a two-bedroom manager's office unit. The exact use proposed for Building "C" is not known at this time. According to the applicant it could be used as extra studio space for resident artists, or possibly classroom space if a local art program could use the space, or even additional studio apartments. The applicant is requesting both preliminary and final PUD approval for the site at this time. Therefore, a detailed site plan was submitted and has been reviewed by staff. A booklet of background information was also submitted and is enclosed. Proposed floorplans and elevations for the buildings are also included. Since the building is already in place, staff was only able to review the site plan in terms of how the existing site will function, for the purpose of the proposed use. Staff has reviewed the submitted site plan and has the following comments: a) The site plan shows the three existing buildings along with two associated parking areas. The site takes up slightly over half of the block. b) There are 53 parking spaces shown on the site plan. The Zoning Ordinance requires 2 spaces per residential unit. There are 26

proposed units, plus a manager's office. This would require a minimum of 52 spaces, plus spaces for the office. Whatever use that Building "C" is used for may also require additional parking spaces. Given that this is a unique use, it may not be necessary to have 2 spaces per unit. The site is in the Downtown Parking Overlay District, which allows some flexibility for non-residential parking requirements, such as counting on-street parking and shared parking. With this being a PUD, the Planning Commission can relax the parking requirements, but at this time, the parking should be adequate. Depending on the use for Building "C", the parking may have to be looked at in further detail in the future, however. Parking space sizes are labeled and meet ordinance requirements. c) The zoning ordinance requires front setbacks on Western Ave., Eighth St., and Clay Ave. The building setbacks are already in place since these are existing buildings. Building "C" is built right up to the property lines. Buildings "A" and "B" are set back from the property lines, but none of the building setbacks are shown on the site plan. All building setbacks should be labeled for reference. d) The setbacks for the parking areas on Western and Clay Avenues are labeled. The ordinance requires an average of 10 feet of greenspace along street frontages. On the Clay Ave. frontage, the parking areas are set 6 feet 2 inches from the property line. The building in between the two parking areas is set back much further, but this setback is not shown. The parking areas are in line with the setback of Building "A". Given that the parking areas do not encroach on the front setback any more than the existing building and that there is a large greenspace area in front of the building in between the two parking areas, staff feels that the proposed setbacks along Clay Ave. are reasonable. The applicant has provided the maximum amount of setback possible while maintaining the minimum required sizes for parking spaces and maneuvering lanes in these parking areas. There also is greenspace between the building and the proposed sidewalk. e) The front setback on Western Ave. is taken up mostly by the two drive entrances. There is a landscape island located between the two drives, which does have a 10-foot setback from the property line. This setback meets ordinance requirements. f) The H district has no requirements for side setbacks. The side setback between the northerly parking area and the Muskegon Eagles is labeled as 2 feet 8 inches. The side setback between Building "B" and the Eagles' parking lot is not labeled. This setback should be labeled for reference. g) The rear setback requirement in the H district is 10 feet. The rear setback between Building "B" and the Eagles is not labeled but if below 10 feet, then this setback would be nonconforming since the building already exists. The setback should be labeled for reference. h) The site plan does show proposed landscaping for the site. The plan does not show existing landscaping, with the exception of one 8" cedar which is noted. The plan does not state if the cedar tree is proposed to be retained or removed. All existing trees should be retained as much as practical. There is a great deal of vegetative growth on the building itself. Staff recognizes that much construction work will need to be done on the building, but these plantings should be retained if possible. They add a great deal of vibrancy and appeal to the building's façade, especially during the fall months (see photos below). Details on the proposed landscaping for the site, including size and species of all proposed new landscape materials and notes on all existing landscaping (including whether or not it is to be retained or removed) need to be provided. i) The front setback along Clay Ave. is shown on the site plan as lawn. There should be landscape materials (trees, shrubs or both) provided in this setback. There are four street trees shown in the terrace along Eighth St. The site plan does not note if these trees are existing or proposed. If they are proposed, the applicant needs to work with the forestry department on placement of the trees. j) The northerly parking area on Western Ave. appears to be larger than 5,000 square feet and therefore requires at least one landscape island. A landscape island is shown on the site plan and appears to contain two trees.

k) Site lighting locations are noted on the site plan but no details on the type of lights proposed are given. All lights need to be a down-type having one hundred percent (100%) cut off. l) The site plan shows a paved area in between Buildings “B” and “C” on Eighth St. This area shows two sites marked ‘trash’. If these are to be dumpster locations, they will need to be screened with a minimum 5-foot fence and will need to be located at least 5 feet from each building. There is a fence shown, but no details on the fence are given, and the fence does not appear to screen the area from Eighth St. m) There is existing sidewalk along Eighth St. and Western Ave. The site plan shows new sidewalk to be installed along Clay Ave. and along all parking areas. n) The Engineering Dept. has reviewed the site plan and has stated that the sanitary sewer would need to be replaced by the applicant as the current sanitary sewer system isn’t in good condition. o) The Fire Marshal has reviewed the site plan and has the following comments: i) A fire flow test shall be conducted by the Department of Public Works. The project developer shall schedule this test with the DPW. ii) Hydrant locations shall be listed on the site plan. They are currently not listed. iii) Hydrants shall meet spacing requirements of the International Fire Code Appendix C. p) The Department of Public Works has reviewed and accepted the site plan with the following comment: Existing sanitary sewer and water may need to be replaced/upgraded to serve multiple units. The site plan shows two free-standing signs, one on Western Ave. and one on Clay Ave. The ordinance permits one free-standing sign per major road frontage for residential developments. Neither Western or Clay Avenues are a major street. The Planning Commission has the flexibility to allow both signs if they wish. No details on the signs are given, but they will need to meet ordinance requirements and will need to be placed so as to not block clear vision at the drives. Sign permits will be required. Staff has not received any phone calls or letters regarding this case. Staff recommends approval of the request with conditions.

T. Johnson asked if the zero lot line provision is in the ordinance. D. Steenhagen stated that it was for new buildings. This building is already that way. P. Sartorius disclosed that he has had discussion with G. Post and B. Jacobsen outside of City Hall and he attended the City Commission worksession where a presentation regarding this was done. J. Aslakson stated that he also attended the City Commission worksession. J. Aslakson asked the applicant if they had any problems with the proposed conditions. G. Post and B. Jacobsen stated that they did not have problems with them. G. Post went over the site plan. Building A would be 2 units instead of 1 unit and an office. They would be market rate. P. Sartorius asked if there would be any retail since this is a PUD request. B. Jacobsen explained the reasoning for the PUD request is that there would be a gallery where the artists could display and sell their work. L. Spataro asked if they had discussed sharing the Eagle’s parking lot with the owner. G. Post stated that they would have enough parking spaces on their property to accommodate their need to begin with. They have had some discussion with the owner of the Eagle’s.

A motion to close the public hearing was made by S. Warmington, supported by J. Aslakson and unanimously approved.

J. Aslakson stated that he would like to see the City Commission work with the developer to make this project work. P. Sartorius felt that this project fulfills a unique niche and would go along with the Imagine Muskegon process.

A motion that the preliminary and final PUD and associated site plan for a mixed-use multi-

family development for artists at 1204 Eighth St. be approved pursuant to the determination of compliance with the intent of the City Zoning Ordinance and City Master Land Use Plan based on the following conditions: 1) When the proposed use for Building "C" is determined, a revised site plan must be submitted to the Planning Commission, at that time addressing parking needs for that use. 2) A revised site plan will be submitted for staff's approval and will contain: a) All setbacks from buildings and parking areas to the property lines need to be labeled. b) Details on proposed landscaping need to be provided. The plan should show all existing trees and landscape materials and whether they are proposed to be retained or removed. All trees need to be retained as much as practical. Details on size and species of proposed landscaping need to be provided. Landscaping needs to meet ordinance requirements and there needs to be landscape materials (trees, shrubs or both) provided in the front setback along Clay Ave. The applicant needs to work with the forestry for the four street trees on Eighth Ave. if they are not already existing. 3) Any dumpster on the site needs to be noted and needs to be screened with a minimum 5-foot privacy fence and needs to be at least 5 feet away from any building. 4) All site lighting needs to be a down-type having 100% cut off. 5) All requirements of the Engineering Dept., DPW and Fire Marshal need to be met. 6) The development is permitted to have two free-standing signs as shown on the site plan. Sign permits will be required for all signage on the site, and signs cannot block clear vision, was made by J. Aslakson, supported by T. Johnson and unanimously approved.

Case 2004-4: To discuss adoption of the Imagine Muskegon amendment to the Master Land Use Plan. D. Steenhagen updated the commission members on the new planning process regarding the Master Land Use Plan. The first thing that would need to be decided is if this is an extension, an addition, other amendment, or a revision. The difference between each of them is the notification time. All the surrounding municipalities would get to comment on this.

B. Mazade left at 5:27 p.m.

P. Sartorius stated that he felt that this was an addition to the Waterfront Redevelopment Sub-Plan.

A motion that the Imagine Muskegon amendment to the Master Land Use Plan be recommended to the city commission as an amendment other than a revision to the existing Master Land Use Plan, was made by T. Johnson, supported by L. Spataro with a new motion being offered.

A motion that the Imagine Muskegon amendment to the Master Land Use Plan be reviewed by the City Commission and request them to start the process for the notification and distribution, was made by T. Johnson , supported by J. Aslakson with discussion on the motion continuing.

T. Johnson stated that he would rather see the plan and determine prudent information before sending it to the City Commission for notification and distribution. J. Aslakson agreed.

A motion to table the Imagine Muskegon amendment to the Master Land Use Plan was made by J. Aslakson, supported by T. Johnson and approved with B. Mazade not present for the vote.

Hearing; Case 2004-5: Staff-initiated request to amend Section 2334 (Signs) of the Zoning

Ordinance regarding nonconforming signs, signs for multi-suite buildings, signs for buildings on corner lots and signs for waterfront properties. D. Steenhagen presented the staff report. Staff has looked into the sign ordinance issues discussed at the December meeting and has supplied commission members with several proposed amendments.

B. Mazade arrived at 5:40 p.m.

The commission members discussed some of the changes. P. Sartorius suggested having a specific definition for multi suite. T. Johnson suggested having 11b under Multi-Suite Buildings changed to, “The intent of this ordinance is that each suite, regardless of size, access or exposure, is reasonably afforded signage...” instead of using the word, ‘guaranteed’.

A motion to close the public hearing was made by S. Warmington, supported by B. Mazade and unanimously approved.

A motion that the amendment to Section 2334 (Signs) of the Zoning Ordinance regarding nonconforming signs, signs for multi-suite buildings, signs for buildings on corner lots and signs for waterfront properties be recommended to the City Commission for approval with a change to 11b under Multi-Suite Buildings to read, “The intent of this ordinance is that each suite, regardless of size, access or exposure is reasonably afforded signage...”, was made by T. Johnson, supported by S. Warmington and unanimously approved.

OTHER

Update on Harbortowne sidewalks. D. Steenhagen updated the commission members on this.

Workplan 2004. P. Sartorius asked that this be included for the next meeting.

Retailers Track Down Shoppers. L. Spataro supplied the commission member with an article from the Detroit Free Press.

Pawn Shop signs. L. Spataro asked about the signage at the pawn shop on the corner of McCracken and W. Sherman. D. Steenhagen stated that they are in compliance. The sign permits were applied for and approved.

ADJOURN

There being no further business, the meeting adjourned at 6:05 p.m.

hmg
1/15/03